



## **COSTA MESA SANITARY DISTRICT MINUTES OF BOARD OF DIRECTORS REGULAR MEETING JANUARY 12, 2005**

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### **CALL TO ORDER**

The Board of Directors of the Costa Mesa Sanitary District met in regular session on January 12, 2005, at 6:00 p.m. at 628 W. 19<sup>th</sup> Street, Costa Mesa.

President Ferryman called the meeting to order at 6:00 p.m.

### **PLEDGE OF ALLEGIANCE**

Director Perry led the Pledge of Allegiance

### **INVOCATION**

Director Woodside gave the invocation.

### **ROLL CALL**

#### **DIRECTORS PRESENT:**

Greg Woodside, Art Perry, James Ferryman, Dan Worthington

#### **DIRECTORS ABSENT:**

Arlene Schafer, absent and excused

#### **STAFF PRESENT:**

Robin Hamers, Manager/District Engineer; Alan Burns, Legal Counsel; Tom Fauth, Assistant Manager; Joan Revak, Board Secretary/Program Manager; Wendy Davis, Treasurer; Sherry Kallab, Accountant; Denise Gilbert, Permit Processing Specialist; Ron Shef, District Ordinance Enforcement Officer

#### **OTHERS PRESENT:**

None



..... **CONSENT CALENDAR** .....

Mr. Hamers requested a correction to the motion in the Regular Minutes of December 9, 2004 under New Container Distribution, page 11, as follows:

Director Perry motioned to approve the no-charge policy for residents who move into a home where the trash containers have been removed from the residence, **residents who trade in 60-gallon containers for 90-gallon containers**, and the implementation of a confidential form to assist in determining whether to impose a fee for additional containers for disabled and low-income residents. Director Schafer seconded. Motion carried 5-0.

Corrected to show any container exchange as follows:

Director Perry motioned to approve the no-charge policy for residents who move into a home where the trash containers have been removed from the residence, **any exchange of a container for a different size**, and the implementation of a confidential form to assist in determining whether to impose a fee for additional containers for disabled and low-income residents. Director Schafer seconded. Motion carried 5-0.

Mr. Hamers also requested a correction to the agenda under "Refunds" to show there are no requests for refunds.

Director Perry motioned to approve the Consent Calendar with the corrections to Refunds and the motion for New Container Distribution. Director Worthington seconded. Motion carried 4-0.

## REPORTS

### MINUTE APPROVAL

Minutes of Special Meeting, December 6, 2004	The Minutes of the Special Meeting of December 6, 2004, were approved as distributed.
Minutes of Recycling Committee Meeting, December 7, 2004	The Minutes of the Recycling Committee Meeting of December 7, 2004, were approved as distributed.
Minutes of Regular Meeting, December 9, 2004	The Minutes of the Regular Meeting of December 9, 2004, were approved as corrected.



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Minutes of City/District  
Liaison Committee  
Meeting, December 17,  
2004

The Minutes of the City/District Liaison Committee Meeting of December 17, 2004, were approved as distributed.

**MANAGER'S REPORTS**

Refunds

There were no refunds requested for the month of January 2005.

Occupancy Report and  
Payment of \$188,715.99  
to Costa Mesa Disposal –  
January 2005

The Trash Occupancy Count documented an increase of 20 units for the occupancy report for solid waste collection as of January 1, 2005. Therefore, the total for January is 21,231.

Board directed Staff to prepare a warrant for \$188,715.99 to Costa Mesa Disposal on February 1, 2005, for payment for January trash collection based on the January count of 21,231.

Monthly Spill Report to  
Regional Water Quality  
Control Board (RWQCB)

The Monthly Spill Report to the Regional Water Quality Control Board (RWQCB) for December 2004 was accepted as submitted.

**ENGINEER'S REPORTS**

Project Status Report

The Project Status Report dated January 2005 was accepted as submitted.

Minutes of Safety/Loss  
Control Committee  
Meeting, December 22,  
2004

The Minutes of the Safety/Loss Control Committee Meeting of December 22, 2004, were approved as distributed.

**TREASURER'S REPORTS**

Financial Report as of  
November 30, 2004

The Financial Report as of November 30, 2004 was accepted as submitted.

Treasurer's Reports as of  
December 31, 2004

The Treasurer's Reports as of November 30, 2004 was received and filed.

Warrant 2005-07 for  
January 2004 in the  
amount of \$707,476.57

Warrant Resolution #CMSD 2005-07 was approved, authorizing the President and Secretary to sign the warrant and instructing the Treasurer to



draw a warrant from the Costa Mesa Sanitary District General Fund in the amount of \$707,476.57.

Directors Expenses for the Month of December 2004      Director Compensation and Expense Reimbursement for the Month of December 2004 were approved and ratified, respectively, as follows:

Director Ferryman: \$ 510.00 +\$3.75  
Director Perry: \$510.00  
Director Schafer: \$1,020.00 + 3.75  
Director Woodside: \$340.00  
Director Worthington: \$ 1,020.00

..... **END OF CONSENT CALENDAR** .....

## **WRITTEN COMMUNICATIONS**

Mr. Hamers presented a letter from Gregory Winterbottom, Chairman of OCTA, dated December 28, 2004, requesting ideas and comments for transportation planning. A Central County Corridor Study Stakeholders Workshop will be held on January 19, 2005.

Mr. Hamers reported receiving an e-mail from CASA. CASA reported they are in the process of calculating special district contributions.



## **PUBLIC COMMENTS**

There were no public comments, no public in attendance.

## **MANAGER'S REPORTS**

### **ANTI-SCAVENGING AND SCREENING OF TRASH CONTAINERS ENFORCEMENT REPORTS**

#### **DISTRICT ORDINANCE ENFORCEMENT OFFICER REPORT**

Mr. Shef presented the ordinance enforcement summary report covering the month of December 2004.

Mr. Shef's summary report contained the following information:

- 15 flyers given to residents and 3 containers oversprayed and ID tagged

Mr. Fauth provided an update to the Approved Standardized Container Requests to date. Mr. Fauth reported additional containers are needed to be able to service residents.

Ms. Davis suggested a Staff Report be prepared and a budget adjustment approved by the Board.

Ms. Davis reported there is still money in the current budget for containers.

Mr. Fauth will order containers within the amount left in the current budget, subject to the District's purchasing procedures.

### **CMUSD STRATEGIC PLAN**

#### **YEAR 2003/2004 ACTION ITEMS**

Mr. Hamers presented an action idea list for the 2005 Strategic Planning Meeting.

Director Perry motioned to receive and file the list. Director Woodside seconded. Motion carried 4-0.

Director Worthington provided additional items to the action idea list for the 2005 Strategic Planning Meeting:

- Waterless urinals
- Review of policies affecting the Board
- Attendance at CSDA and CASA conferences by Management and Staff
- New hires on different basis than original hires



Director Woodside motioned to add the additional items to the list. Director Perry seconded. Motion carried 4-0.

## **NEW DISTRICT HEADQUARTERS**

### **BUILDING EXTERIOR AND REMAINING INTERIOR IMPROVEMENTS**

#### **OPEN HOUSE**

Mr. Hamers requested the Board determine which of the exterior and remaining interior improvements they would like to have completed before the Open House as well as a list of suggested people to invite.

President Ferryman suggested a map of the district and possibly a permanent sign.

Director Worthington agreed with a District map and suggested the previous Board member photographs be used.

Mr. Burns suggested static displays of valves or diagrams and pictures of grease in pipes.

Mr. Hamers suggested pictures of the Staff during the normal course of operation – sewer workers, etc.

The Open House will be held on February 24, 2005 from 4:00 to 7:00 p.m.

Mr. Fauth presented preliminary plans to have the CMSD closed every other Friday for the Board's consideration at the Strategic Planning Meeting.

A Strategic Planning folder will be given to each Board member to review prior to the Strategic Planning Meeting.

Mr. Fauth reported meeting with a representative of the SDRMA to point out items of potential exposure to the District.



## **RECYCLING REPORTS**

### **WASTE DIVERSION REPORT – NOVEMBER 2004**

Ms. Revak presented the Waste Diversion Reports for December 2004 showing a 50.77% diversion rate. Director Woodside motioned to receive and file the Waste Diversion Report. Director Perry seconded. Motion carried 4-0.

## **CONTRACT PAYMENT TO CR TRANSFER FOR RECYCLING SERVICES AND DISPOSAL**

### **PAYMENT FOR DECEMBER 2004 SERVICES**

Director Perry motioned to approve contract payment to CR Transfer for recycling services and disposal for the month of December 2004, subject to reconciliation. Director Woodside seconded. Motion carried 4-0.

## **RECYCLING COMMITTEE – MONDAY, JANUARY 10, 2004 - 12:00 P.M., CMSD BOARDROOM, 628 W. 19<sup>TH</sup> STREET, COSTA MESA, DIRECTORS WOODSIDE AND FERRYMAN**

### **STRATEGIC PLANNING 2004 – PUBLIC OUTREACH – CLASSROOM RECYCLING PROJECTS**

Director Woodside reported Mr. Fauth held a vermi-composting program for the Master Gardeners' Program at the Fairgrounds. Mr. Fauth has additional programs scheduled for the same organization.

### **TELEPHONE BOOK RECYCLING PROGRAM WITH SCHOOLS**

The School Telephone Book Recycling Program ran from November 17 through December 29, 2004. Totals will be provided at the February 10, 2005 Board meeting.

### **CHRISTMAS TREE RECYCLING PROGRAM**

Ms. Revak reported Christmas trees will be picked up between December 27, 2004 and January 14, 2005. The results will be tabulated and reported to the Board at the February 10, 2005 Board meeting.

### **PUBLIC RESTROOMS**

Director Woodside reported he will discuss the opportunity with the principal at his children's school to let him know about the program.



Mr. Fauth will continue to work as a liaison to the school district regarding information on the program.

#### **REVIEW OF DISTRICT RECYCLING PROGRAMS**

Director Woodside provided a list of draft goals for the Recycling Committee for 2005/2006.

Discussion was held regarding the possibility of providing recycling programs to high school students such as trips to a recycling center, etc.

### **ENGINEER'S REPORTS**

#### **WASTE DISCHARGE REQUIREMENTS – (WDR)**

##### **GENERAL UPDATE**

Mr. Hamers reported all cities were required to submit their grease control programs by the end of December 2004. Mr. Hamers reported CMSD submitted their program as did most other cities.

##### **GREASE CONTROL PROGRAM DEVELOPMENT**

##### **PROJECT No. 174 – AGREEMENT WITH EEC**

Mr. Hamers reported the documents were agreed upon by the Board and submitted to the Water Quality Control Board. The District is now in the implementation stage with plans to execute the program being prepared.

##### **USE OF OCHCA INSPECTORS**

Mr. Hamers provided an update to the Board on the use of OCHCA Inspectors. Mr. Hamers reported 18 of the agencies agreed in concept to ask OCHCA to provide the one-time per year inspection. In a letter from Robert Ghirelli, Director of Technical Services, Orange County Sanitation District, to William Mahoney, Assistant CEO, County of Orange, Mr. Ghirelli asked the County to put the item in their budget and inform the agencies of what is required to move the process forward. Mr. Hamers said he has not heard anything back yet.





**CONSIDERATION OF CHARGES TO FOOD SERVICE ESTABLISHMENTS**

Mr. Hamers requested the Board consider approving the charges in concept without the actual fees to enable the software programmers to put it into the current software package in anticipation of the program being put into use.

Discussion was held regarding the level of charges for different types of establishments.

Director Perry motioned to approve option 4D, in concept, to allow for the input into the computer software. Director Woodside seconded. Motion carried 4-0.

**COOPERATIVE PROJECTS GRANT APPLICATION TO OCSD**

Mr. Hamers reported OCSD discussed the District's eligibility for the program.

Mr. Hamers communicated with Mr. Jim Herberg who agreed the District's inflow is significant and will determine how to proceed under the grant program.

**REPORT ON EMERGENCY OR NON-BID SEWER WORK**

Mr. Hamers provided a report on emergency work done on the 23<sup>rd</sup> street pump station.

**TREASURER'S REPORTS**

**BOARD OF DIRECTORS EXPENSE REIMBURSEMENT ORDINANCE**

Director Worthington suggested mileage be reimbursed for travel to meetings outside of Orange County only.

Discussion was held.

The Board decided to continue discussion on this item when all Board members are present.

**RESOLUTION No. 2005-699, AUTHORIZING THE DISPOSITION OF DISTRICT ASSETS**

Ms. Davis suggested the District consider auctioning off of older unused office furniture.

Ms. Davis presented Resolution No. 2005-699, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT,



COUNTY OF ORANGE, CALIFORNIA, AUTHORIZING THE DISPOSITION OF DISTRICT ASSETS.

Mr. Fauth reported the District also has some outdated computer equipment and suggested they add CRTs to the list of items to be disposed.

Director Perry motioned to adopt Resolution No. 2005-699, Authorizing the Disposition of District Assets with the addition of CRTs. Director Worthington seconded. Motion carried 4-0.

## **ATTORNEY'S REPORTS**

### **CITY/DISTRICT OPERATING AGREEMENT**

Mr. Burns reported there are some issues on indemnification in the proposed City/District Operating Agreement.

Mr. Burns provided a background to the Board. The issue is currently with the City Council and City Manager.

Board directed Staff to prepare a letter for Board President's signature to request a response from the City of Costa Mesa by February 8, 2005.

### **CITY/SANITARY DISTRICT CONFLICTS – CAL JUR REFERENCE**

Mr. Burns provided a copy of the California Jurisprudence reference for City/Sanitary District Conflicts that was spawned out of the Home Gardens v City of Corona case.

A copy of the article, 27B Cal Jur 3d 'Drains and Sewers' Section 36, was distributed to the Board.

## **LOCAL MEETINGS**

### **ORANGE COUNTY SANITATION DISTRICT (OCSD)**

#### **REGULAR MEETING – DECEMBER 15, 2004 (DIRECTOR FERRYMAN)**

Director Ferryman attended the OCSD meeting and reported the following:

- SAWPA agreement extended
- Director Ferryman to go to Washington DC to raise funding



**INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC)**

Director Worthington attended ISDOC meeting and reported the following:

- Director Worthington an at-large voting member for ISDOC
- Senator Ortiz considering running for vacant congressional seat

**LOCAL AGENCY FORMATION COMMISSION (LAFCO)**

Director Schafer was not in attendance to provide a report.

President Ferryman reported he read in the newspaper about the City of Costa Mesa vote not to exclude West Santa Ana Heights from its sphere of influence.

**CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA)**

**CSDA WORKSHOP, STAYING IN COMPLIANCE, FEBRUARY 4, 2005, PALM SPRINGS**

Ms. Revak provided information on the CSDA Workshop, *Staying in Compliance*, to be held on February 4, 2005 in Palm Springs. Directors Worthington and Perry expressed an interest in attending the workshop.

Director Woodside motioned to approve attendance at the CSDA workshop for Directors Worthington and Perry. President Ferryman seconded. Motion carried 4-0.

**CALIFORNIA ASSOCIATION OF SANITATION AGENCIES**

**ANNUAL MEMBERSHIP DUES IN THE AMOUNT OF \$2,312.22**

President Ferryman requested a motion to ratify payment of \$2,312.22 for Annual Membership Dues to the California Association of Sanitation Agencies.

Director Worthington motioned to ratify payment of \$2,312.22 for Annual Membership Dues to the California Association of Sanitation Agencies. Director Perry seconded. Motion carried 4-0.

**MEETINGS OF: COSTA MESA CITY COUNCIL, OCCOG, WACO, CHAMBER OF COMMERCE**

There was no report presented.



## **OLD BUSINESS**

There was no old business discussed.

## **NEW BUSINESS**

### **STRATEGIC PLANNING WORKSHOP – JANUARY 21 AND 22, 2005**

Mr. Hamers reported Board members will receive a folder to review in preparation for the Strategic Planning Workshop of January 21 and 22, 2005.

## **ORAL COMMUNICATIONS AND DIRECTOR COMMENTS**

Director Worthington reported he and Director Perry had a very educational trip to the Frank R. Bowerman Landfill and highly recommends the experience.

Director Perry suggested it would be a very educational trip for high school students.

## **ADJOURNMENT**

At 7:46 p.m., President Ferryman adjourned the meeting.

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**SECRETARY**

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**PRESIDENT**